

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 15-00133-1

VERSUS

JUDGE TERRY A. DOUGHTY

DION PAUL BARNES

MAG. JUDGE KAREN L. HAYES

MEMORANDUM ORDER

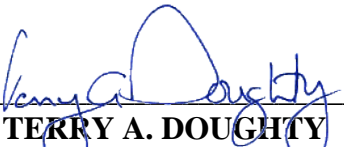
On June 19, 2018, the Clerk of Court received a letter Motion for Correction in Jail Time Credit [Doc. No. 204] from Defendant Dion Paul Barnes ("Barnes"). Barnes moves the Court to correct his jail credit to reflect his date of arrest in this case to be June 10, 2015, instead of June 15, 2015, a difference of 5 days.

The Court has no authority to grant Barnes the relief he requests. Pursuant to 18 U.S.C. § 3585(b), the Attorney General, through the Bureau of Prisons ("BOP"), is charged with calculating a defendant's credit for any time served in federal custody prior to sentencing. If a defendant wishes to challenge this calculation, he must, first, exhaust his available administrative remedies through the BOP before litigating in federal court. *See United States v. Wilson*, 503 U.S. 329, 335 (1992). Then the defendant may seek review in federal court by filing a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2241, in the district in which he is incarcerated. *See Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000) ("A section 2241 petition on behalf of a sentenced prisoner attacks the manner in which a sentence is carried out or the prison authorities' determination of its duration, and must be filed in the same district where the prisoner is incarcerated.").

In this case, Barnes has made no showing that he has exhausted his remedies through the BOP. Accordingly,

IT IS ORDERED that Barnes's letter Motion for Correction in Jail Time Credit [Doc. No. 204], which this Court construes as a petition for writ of habeas corpus under 28 U.S.C. § 2241, is **DENIED** and **DISMISSED WITHOUT PREJUDICE** to his right to re-file in the proper court after he has exhausted his administrative remedies.

MONROE, LOUISIANA, this 25th day of June, 2018.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE